

Board Meeting
October 18-19, 2005

Agenda Item 10
Attachment 3

To request a Time Extension (TE) or Alternative Diversion Requirement (ADR), please complete and sign this request sheet and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.


Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance, (MS 25)
1001 I Street
PO Box 4025
Sacramento CA 95812-4025

General Instructions:

For a Time Extension complete Sections I, II, III-A, IV-A, and V.

For an Alternative Diversion Requirement complete Sections I, II, III-B, IV-B and V.

Section I: Jurisdiction Information and Certification <i>All respondents must complete this section.</i>			
I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:			
Jurisdiction Name City of San Marino		County Los Angeles County	
Authorized Signature 		Title City Manager	
Type/Print Name of Person Signing Robert Wishner	Date 1/31/05	Phone (826) 300-0700	
Person Completing This Form (please print or type) Alycen Burleigh, Aurora Environmental, Inc.		Title President	
Phone (801) 374-2166	E-mail Address auroraone@utah-inter.net		Fax (801) 474-2167
Mailing Address 1100 E. Hanfton Avenue	City Salt Lake City	State UT	ZIP Code 84105

Section II—Cover Sheet

This cover sheet is to be completed for each Time Extension (TE) or Alternative Diversion Requirement (ADR) requested.

1. Eligibility

Has your jurisdiction filed its Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element with the Board (must have been filed by July 1, 1998 if you are requesting an ADR)?

☐ No. If no, stop; not eligible for a TE or ADR.

☒ Yes. If yes, then eligible for a TE or ADR.

2. Specific Request and Length of Request

Please specify the request desired.

☒ Time Extension Request

Specific years requested: 2004 and 2005

Is this a second request? ☐ No ☒ Yes Specific years requested: 2004 and 2005

(Note: Requests for an additional extension will need to address why the jurisdiction's efforts to meet the 50% goal by the end of the first extension were not successful.)

☐ Alternative Diversion Requirement Request (Not allowed for Regional Agencies).

Specific ADR requested: _____%, for the years _____

Is this a second ADR request? ☐ No ☐ Yes Specific ADR requested: _____%, for the years _____

(Note: Requests for an additional ADR will need to address why the jurisdiction's efforts to meet 50% by the end of the first ADR period were not successful.)

Note: Extensions may be requested anytime by a jurisdiction, but will only be effective in the years from January 1, 2000 to January 1, 2008. An original request for a TE/ADR may be granted for any period up to three years and subsequent requests for TE/ADR may extend the original request or be based on new circumstances but the total number of years for all requests cannot total more than five years or extend beyond January 1, 2008.

Section IIIA—TIME EXTENSION

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's progress in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIA-1).

1. Why does your jurisdiction need more time to meet the 50% goal? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

At the time that the first Time Extension Request was submitted, City staff anticipated that the Non-Exclusive Refuse Removal Franchise Agreement with one of the haulers serving the City would be terminated soon thereafter. On September 11, 2002, the San Marino City Council voted to allow that hauler to complete the term of the existing Agreement, which was to expire on June 30, 2003, or as soon as proposals could be received and new Agreements became effective.

Staff distributed the Request for Proposals (RFP) on April 28, 2003, rather than in March 2003, which was the distribution date originally planned. When the RFP was distributed, July 1, 2003 was the effective date planned for the new Agreements. The delay in distributing the RFP; a lengthy evaluation process related to the receipt of eight proposals; development of a more comprehensive contract with improved reporting requirements and enforcement provisions; and, contract negotiations related to rates and acceptance of the comprehensive contract resulted in the final selection of two hauling contractors by the City Council on September 10, 2003, approximately one year after the date originally anticipated in the first Time Extension Request. The two new Non-Exclusive Agreements for Solid Waste and Recyclables Collection became effective on October 1, 2003. These new agreements and related programs have already resulted in increasing the amount of waste diverted through the curbside recycling program and through the MRF processing program.

The original intent was to include roll-off bin service in the two non-exclusive agreements. This provision would have become effective following a five-year notice period to existing, permitted roll-off service providers. When the City Council approved the new agreements on September 10, 2003, there was no support for including roll-off service in the non-exclusive agreements because the Council wanted to maintain competitive roll-off services. City staff then began implementing a contingency plan to develop a construction and demolition debris ordinance requiring the diversion of 50% of materials generated/collected, rather than only providing building permit applicants with recycling information and a 50% diversion goal. The ordinance is anticipated to be adopted in early 2005, and will become effective shortly thereafter. As a result, the impact of this construction and demolition debris ordinance on the City's diversion rate will not be realized until the end of 2005.

2. Why does your jurisdiction need the amount of time requested? Describe any relevant circumstances in the jurisdiction that contribute to the need for a Time Extension.

The City is requesting an extension for compliance years 2004 and 2005 because, as discussed above, the impact of the construction and demolition debris ordinance on the City's diversion rate will not be realized until the end of 2005.

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

The City's calculated diversion rate for 2003 is 30%. The City has had a backyard recycling collection program prior to 1990 and implemented a yard waste collection program in 1995. The City also recycles yard waste and inerts from its maintenance operations. Additional amounts of inert materials are diverted/salvaged at local landfills. Beginning October 2003, a portion of the waste stream is now being processed at a MRF and some of the residual materials are transferred to a waste-to-energy facility. Please refer to the PARIS printout for additional diversion programs operating in the City of San Marino.

4. Provide any additional relevant information that supports the request.

No additional information to be provided.

Section IIIB—ALTERNATIVE DIVERSION REQUIREMENT

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's efforts in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIB-1.).

1. Why does your jurisdiction need an Alternative Diversion Requirement? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

2. Why is your jurisdiction requesting an Alternative Diversion Requirement in lieu of a Time Extension?

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

4. Describe any relevant circumstances in the jurisdiction that contribute to the need for an ADR. Provide any relevant information that supports the request.

Section IV A—PLAN OF CORRECTION

A Plan of Correction is required by PRC Section 41820(a)(6)(B). The plan is fundamentally a description of the actions the jurisdiction will take to meet the 50% goal by the expiration of the Time Extension.

Attach additional sheets if necessary.

Residential %		64%	Non-residential %		36%
PROGRAM TYPE Please use the Board's Program Types. The Program Glossary is online at: www.ciwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
4060-SP-CAR	New	Adopt and implement a construction and demolition debris ordinance that will require the diversion of 50% of materials from covered projects and by covered haulers.	Rate Structure	December 2005	20%
Total Estimated Diversion Percent From New and/or Expanded Programs					20%
Current Diversion Rate Percent From Latest Annual Report					30%
Total Planned Diversion Percent Estimated					50%

PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED

Section V – PARIS

Office of Local Assistance staff will be reviewing your Jurisdiction's Planning Annual Report Information System (PARIS) database printout as part of the evaluation of your request. Should the Jurisdiction have updates or revisions to the program implementation from the latest Annual Report submitted to the Board, please attach to the application the Jurisdiction's PARIS database printout showing updates or revisions.

Contact your Office of Local Assistance Representative at (916) 341-6199 for a copy of PARIS, or go to the Board's website at www.ciwmb.ca.gov/LGCentral/PARIS/.